



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/354,450	12/12/1994	GARY K. MICHELSON	101.0023-04000	3041
22882	7590	11/03/2008		
MARTIN & FERRARO, LLP 1557 LAKE O'PINES STREET, NE HARTVILLE, OH 44632				
EXAMINER DEMILLE, DANTON D				
ART UNIT		PAPER NUMBER		
3771				
MAIL DATE		DELIVERY MODE		
11/03/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: GARY K. MICHELSON

Application 08/354,450
Technology Center 3700

Mailed: November 3, 2008

Before: HARRY HORTON, *Discipline Team Paralegal.*
HORTON, *Discipline Team Paralegal.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 24, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

TERMINAL DISCLAIMER

Appellant filed a “TERMINAL DISCLAIMER TO ACCOMPANY PETITION” dated July 23, 2002. There is no indication on the record that the Examiner or Technology Center (TC) Paralegal has considered the above noted Terminal Disclaimer.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner:

1) to have appropriate TC personnel consider the Terminal Disclaimer filed July 23, 2002 as required; and

2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

hh

MARTIN & FERRARO, LLP
1557 LAKE O'PINES STREET, NE
HARTVILLE, OH 44632